

1 AN ACT concerning professional regulation.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.14 and 4.24 as follows:

6 (5 ILCS 80/4.14) (from Ch. 127, par. 1904.14)
7 Sec. 4.14. Acts repealed.

8 (a) The following Acts are repealed December 31, 2003:

9 The Private Detective, Private Alarm, and Private
10 Security Act of 1993.

11 The Illinois Occupational Therapy Practice Act.

12 (b) The following Acts are repealed January 1, 2004:

13 The Illinois Certified Shorthand Reporters Act of
14 1984.

15 ~~The--Veterinary-Medicine-and-Surgery-Practice-Act-of~~
16 ~~1994-~~

17 (Source: P.A. 92-457, eff 8-21-01.)

18 (5 ILCS 80/4.24)

19 Sec. 4.24. Acts repealed on January 1, 2014. The
20 following Acts are repealed on January 1, 2014:

21 The Electrologist Licensing Act.

22 The Illinois Public Accounting Act.

23 The Veterinary Medicine and Surgery Practice Act of 2004.

24 (Source: P.A. 92-457, eff. 8-21-01; 92-750, eff. 1-1-03.)

25 Section 10. The Environmental Health Practitioner
26 Licensing Act is amended by changing Section 16 as follows:

27 (225 ILCS 37/16)

28 (Section scheduled to be repealed on January 1, 2007)

1 Sec. 16. Exemptions. This Act does not prohibit or
2 restrict any of the following:

3 (1) A person performing the functions and duties of an
4 environmental health practitioner under the general
5 supervision of a licensed environmental health practitioner
6 or licensed professional engineer if that person (i) is not
7 responsible for the administration or supervision of one or
8 more employees engaged in an environmental health program,
9 (ii) establishes a method of verbal communication with the
10 licensed environmental health practitioner or licensed
11 professional engineer to whom they can refer and report
12 questions, problems, and emergency situations encountered in
13 environmental health practice, and (iii) has his or her
14 written reports reviewed monthly by a licensed environmental
15 health practitioner or licensed professional engineer.

16 (2) A person licensed in this State under any other Act
17 from engaging in the practice for which he or she is
18 licensed.

19 (3) A person working in laboratories licensed by,
20 registered with, or operated by the State of Illinois.

21 (4) A person employed by a State-licensed health care
22 facility who engages in the practice of environmental health
23 or whose job responsibilities include ensuring that the
24 environment in the health care facility is healthy and safe
25 for employees, patients, and visitors.

26 (5) A person employed with the Illinois Department of
27 Agriculture who engages in meat and poultry inspections or
28 environmental inspections under the authority of the
29 Department of Agriculture.

30 (6) A person holding a degree of Doctor of Veterinary
31 Medicine and Surgery and licensed under the Veterinary
32 Medicine and Surgery Practice Act of 2004.

33 (Source: P.A. 92-837, eff. 8-22-02.)

1 Section 15. The Veterinary Medicine and Surgery Practice
 2 Act of 1994 is amended by changing Sections 2, 3, 4, 5, 8,
 3 8.1, 11, 12, 15, 24.1, and 25 and adding Section 25.19 as
 4 follows:

5 (225 ILCS 115/2) (from Ch. 111, par. 7002)

6 (Section scheduled to be repealed on January 1, 2004)

7 Sec. 2. This Act may be cited as the Veterinary Medicine
 8 and Surgery Practice Act of 2004 ~~1994~~.

9 (Source: P.A. 88-424.)

10 (225 ILCS 115/3) (from Ch. 111, par. 7003)

11 (Section scheduled to be repealed on January 1, 2004)

12 Sec. 3. Definitions; ~~--unlicensed--practice--prohibited.~~

13 (a) The following terms have the meanings indicated, unless
 14 the context requires otherwise:

15 "Accredited college of veterinary medicine" means a
 16 veterinary college, school, or division of a university or
 17 college that offers the degree of Doctor of Veterinary
 18 Medicine or its equivalent and that is accredited by the
 19 Council on Education of the American Veterinary Medical
 20 Association.

21 "Animal" means any animal, vertebrate or invertebrate,
 22 other than a human.

23 "Board" means the Veterinary Licensing and Disciplinary
 24 Board.

25 "Certified veterinary technician" means a person who has
 26 graduated from a veterinary technology program accredited by
 27 the Committee on Veterinary Technician Education and
 28 Activities of the American Veterinary Medical Association who
 29 has filed an application with the Department, paid the fee,
 30 passed the examination as prescribed by rule, and works under
 31 a supervising veterinarian.

32 "Client" means an entity, person, group, or corporation

1 that has entered into an agreement with a veterinarian for
2 the purposes of obtaining veterinary medical services.

3 "Complementary, alternative, and integrative therapies"
4 means preventative, diagnostic, and therapeutic practices
5 that, at the time they are performed, may differ from current
6 scientific knowledge or for which the theoretical basis and
7 techniques may diverge from veterinary medicine routinely
8 taught in approved veterinary medical programs. This
9 includes but is not limited to veterinary acupuncture,
10 acupuncture, acupressure, veterinary homeopathy, veterinary
11 manual or manipulative therapy (i.e. therapies based on
12 techniques practiced in osteopathy, chiropractic medicine, or
13 physical medicine and therapy), veterinary nutraceutical
14 therapy, veterinary phytotherapy, or other therapies as
15 defined by rule.

16 "Consultation" means when a veterinarian receives advice
17 in person, telephonically, electronically, or by any other
18 method of communication from a veterinarian licensed in this
19 or any other state or other person whose expertise, in the
20 opinion of the veterinarian, would benefit a patient. Under
21 any circumstance, the responsibility for the welfare of the
22 patient remains with the veterinarian receiving consultation.

23 "Department" means the Department of Professional
24 Regulation.

25 "Direct supervision" means the supervising veterinarian
26 is on the premises where the animal is being treated.

27 "Director" means the Director of Professional Regulation.

28 "Impaired veterinarian" means a veterinarian who is
29 unable to practice veterinary medicine with reasonable skill
30 and safety because of a physical or mental disability as
31 evidenced by a written determination or written consent based
32 on clinical evidence, including deterioration through the
33 aging process, loss of motor skills, or abuse of drugs or
34 alcohol of sufficient degree to diminish a person's ability

1 to deliver competent patient care.

2 "Indirect supervision" means the supervising veterinarian
3 need not be on the premises, but has given either written or
4 oral instructions for the treatment of the animal and is
5 available by telephone or other form of communication.

6 "Patient" means an animal that is examined or treated by
7 a veterinarian.

8 "Person" means an individual, firm, partnership (general,
9 limited, or limited liability), association, joint venture,
10 cooperative, corporation, limited liability company, or any
11 other group or combination acting in concert, whether or not
12 acting as a principal, partner, member, trustee, fiduciary,
13 receiver, or any other kind of legal or personal
14 representative, or as the successor in interest, assignee,
15 agent, factor, servant, employee, director, officer, or any
16 other representative of such person.

17 "Practice of veterinary medicine" means the performance
18 of one or more of the following:

19 (1) Directly or indirectly consulting, diagnosing,
20 prognosing, correcting, supervising, or recommending
21 treatment of an animal for the prevention, cure, or
22 relief of a wound, fracture, bodily injury, defect,
23 disease, or physical or mental condition by any method or
24 mode.

25 (2) Prescribing, dispensing, or administering a
26 drug, medicine, biologic appliance, application, or
27 treatment of whatever nature.

28 (3) Performing upon an animal a surgical or dental
29 operation or a complementary, alternative, or integrative
30 veterinary medical procedure.

31 (4) Performing upon an animal any manual procedure
32 for the diagnoses or treatment of pregnancy, sterility,
33 or infertility.

34 (5) Determining the health and fitness of an

1 animal.

2 (6) Representing oneself, directly or indirectly,
3 as engaging in the practice of veterinary medicine.

4 (7) Using any word, letters, or title under such
5 circumstances as to induce the belief that the person
6 using them is qualified to engage in the practice of
7 veterinary medicine or any of its branches. Such use
8 shall be prima facie evidence of the intention to
9 represent oneself as engaging in the practice of
10 veterinary medicine.

11 "Supervising veterinarian" means a veterinarian who
12 assumes responsibility for the professional care given to an
13 animal by a person working under his or her direction. The
14 supervising veterinarian must have examined the animal at
15 such time as acceptable veterinary medical practices requires
16 consistent with the particular delegated animal health care
17 task.

18 "Veterinarian-client-patient relationship" means:

19 (1) The veterinarian has assumed the responsibility
20 for making clinical judgments regarding the health of an
21 animal and the need for medical treatment and the client,
22 owner, or other caretaker has agreed to follow the
23 instructions of the veterinarian;

24 (2) There is sufficient knowledge of an animal by
25 the veterinarian to initiate at least a general or
26 preliminary diagnosis of the medical condition of the
27 animal. This means that the veterinarian has recently
28 seen and is personally acquainted with the keeping and
29 care of the animal by virtue of an examination of the
30 animal or by medically appropriate and timely visits to
31 the premises where the animal is kept; and

32 (3) The practicing veterinarian is readily
33 available for follow-up in case of adverse reactions or
34 failure of the regimen of therapy.

1 "Veterinary technology" means the performance of services
 2 within the field of veterinary medicine by a person who, for
 3 compensation or personal profit, is employed by a licensed
 4 veterinarian to perform duties that require an understanding
 5 of veterinary medicine necessary to carry out the orders of
 6 the veterinarian. Those services, however, shall not include
 7 diagnosing, prognosing, writing prescriptions, or surgery.

8 (A)--"Department"--means--the--Department--of--Professional
 9 Regulation.

10 (B)--"Board"---means---the---Veterinary---Licensing---and
 11 Disciplinary-Board.

12 (C)--"Director"--means--the-Director-of-the-Department-of
 13 Professional-Regulation.

14 (D)--"Veterinarian"--means-a-person-holding-the-degree--of
 15 Doctor--of-Veterinary-Medicine-and-Surgery-and-licensed-under
 16 this-Act.

17 (E)--The-practice--of--veterinary--medicine--and--surgery
 18 occurs-when-a-person:

19 (1)--Directly--or--indirectly--diagnoses, prognoses,
 20 treats, administers--to, prescribes--for, operates--on,
 21 manipulates-or-applies-any-apparatus-or-appliance-for-any
 22 disease, pain, deformity, defect, injury, wound--or
 23 physical-or-mental-condition-of-any-animal-or-bird-or-for
 24 the-prevention-of, or-to-test-for--the--presence--of--any
 25 disease---of---any--animal--or--bird.---The--practice--of
 26 veterinary-medicine--and--surgery--includes--veterinarian
 27 dentistry.

28 (2)--Represents-himself-or-herself-as-engaged-in-the
 29 practice-of-veterinary-medicine-and-surgery-as-defined-in
 30 paragraph--(1)--of--this--subsection, or-uses-any-words,
 31 letters-or-titles--in--such--connection--and--under--such
 32 circumstances--as--to--induce--the-belief-that-the-person
 33 using-them-is--engaged--in--the--practice--of--veterinary
 34 medicine-and-surgery-in-any-of-its-branches, or-that-such

1 person-is-a-Doctor-of-Veterinary-Medicine.

2 (F)--"Animal"--means--any--bird, fish, reptile, or mammal
3 other-than-man.

4 (G)--"Veterinarian-client---patient-relationship"--means:

5 (1)--The-veterinarian-has-assumed-the-responsibility
6 for-making-medical-judgments-regarding-the-health--of--an
7 animal-and-the-need-for-medical-treatment-and-the-client,
8 owner,--or--other--caretaker--has--agreed--to--follow-the
9 instructions-of-the-veterinarian.

10 (2)--There-is-sufficient-knowledge-of-an--animal--by
11 the--veterinarian--to--initiate--at--least--a--general-or
12 preliminary-diagnosis-of-the--medical--condition--of--the
13 animal.---This--means--that-the-veterinarian-has-recently
14 seen-and-is-personally-acquainted-with--the--keeping--and
15 care--of--the--animal--by-virtue-of-an-examination-of-the
16 animal-or-by-medically-appropriate-and-timely--visits--to
17 the-premises-where-the-animal-is-kept.

18 (3)--The---practicing---veterinarian---is---readily
19 available-for-follow-up-in-case-of-adverse--reactions--or
20 failure-of-the-regimen-of-therapy.

21 (b)--Subject--to-the-exemptions-in-Section-4-of-this-Act,
22 no-person-shall-practice-veterinary-medicine-and--surgery--in
23 any-of-its-branches-without-a-valid-license-to-do-so.

24 (Source: P.A. 90-655, eff. 7-30-98.)

25 (225 ILCS 115/4) (from Ch. 111, par. 7004)

26 (Section scheduled to be repealed on January 1, 2004)

27 Sec. 4. Exemptions. Nothing in this Act shall apply to
28 any of the following:

29 (1) Veterinarians employed by the federal or State
30 government Federal--Government while actually engaged in
31 their official duties.

32 (2) Licensed veterinarians from other states who
33 are invited to Illinois for consultation or lecturing.

1 (3) Veterinarians employed by colleges or
 2 universities ~~or-by-state-agencies~~, while engaged in the
 3 performance of their official duties, or faculty engaged
 4 in animal husbandry or animal management programs of
 5 colleges or universities.

6 (4) A veterinarian employed by an accredited
 7 college of veterinary medicine providing assistance
 8 requested by a veterinarian licensed in Illinois, acting
 9 with informed consent from the client and acting under
 10 the direct or indirect supervision and control of the
 11 licensed veterinarian. Providing assistance involves
 12 hands-on active participation in the treatment and care
 13 of the patient. The licensed veterinarian shall maintain
 14 responsibility for the veterinarian-client-patient
 15 relationship.

16 (5)(4) Veterinary students in an accredited
 17 approved college, university, department of a university,
 18 or other institution of veterinary medicine and surgery
 19 engaged in while-in-the-performance-of duties assigned by
 20 their instructors.

21 (6)(5) Any person engaged in bona fide scientific
 22 research which requires the use of animals.

23 (7) An owner of livestock and any of the owner's
 24 employees or the owner and employees of a service and
 25 care provider of livestock caring for and treating
 26 livestock belonging to the owner or under a provider's
 27 care, including but not limited to, the performance of
 28 husbandry and livestock management practices such as
 29 dehorning, castration, emasculation, or docking of
 30 cattle, horses, sheep, goats, and swine, artificial
 31 insemination, and drawing of semen. Nor shall this Act be
 32 construed to prohibit any person from administering in a
 33 humane manner medicinal or surgical treatment to any
 34 livestock in the care of such person. However, any such

1 services shall comply with the Humane Care for Animals
2 Act.

3 (8) An owner of a companion animal caring for and
4 treating an animal belonging to such owner. Such
5 services shall comply with the Humane Care for Animals
6 Act.

7 (9) A member in good standing of another licensed
8 or regulated profession within any state or a member of
9 an organization or group approved by the Department by
10 rule providing assistance requested by a veterinarian
11 licensed in this State acting with informed consent from
12 the client and acting under the direct or indirect
13 supervision and control of the licensed veterinarian.
14 Providing assistance involves hands-on active
15 participation in the treatment and care of the patient,
16 as defined by rule. The licensed veterinarian shall
17 maintain responsibility for the
18 veterinarian-client-patient relationship.

19 (10) A graduate of a non-accredited college of
20 veterinary medicine who is in the process of obtaining a
21 certificate of educational equivalence and is performing
22 duties or actions assigned by instructors in an approved
23 college of veterinary medicine.

24 (11) A certified euthanasia technician who is
25 authorized to perform euthanasia in the course and scope
26 of his or her employment.

27 (12) A person who, without expectation of
28 compensation, provides emergency veterinary care in an
29 emergency or disaster situation so long as he or she does
30 not represent himself or herself as a veterinarian or use
31 a title or degree pertaining to the practice of
32 veterinary medicine and surgery.

33 (13) An employee of a licensed veterinarian
34 performing duties other than diagnosis, prognosis,

1 prescription, or surgery under the direction and
2 supervision of the veterinarian, who shall be responsible
3 for the performance of the employee.

4 (14) An approved humane investigator regulated
5 under the Humane Care for Animals Act or employee of a
6 shelter licensed under the Animal Welfare Act, working
7 under the indirect supervision of a licensed
8 veterinarian.

9 (15) Private treaty sale of animals unless
10 otherwise provided by law. (6)--The--dehorning,
11 castration, emasculation or docking--of--cattle,--horses,
12 sheep,--goats and swine in the course or exchange of work
13 for--which--no--monetary--compensation--is--paid--or--to
14 artificial--insemination--and--the--drawing--of--semen. Nor
15 shall this Act be construed to prohibit any--person--from
16 administering,--in a humane manner, medicinal or surgical
17 treatment to any animal belonging to such person,--unless
18 title--has--been--transferred--for--the--purpose--of
19 circumventing this Act. However, any such services shall
20 comply with the Humane Care for Animals Act.

21 (7)--Members of other licensed--professions--or--any
22 other--individuals--when--called--for--consultation--and
23 assistance by a veterinarian licensed--in--the--State--of
24 Illinois--and--who--act under the supervision, direction,
25 and control of the veterinarian, as--further--defined--by
26 rule of the Department.

27 (8)--Certified euthanasia technicians.

28 (Source: P.A. 92-449, eff. 1-1-02.)

29 (225 ILCS 115/5) (from Ch. 111, par. 7005)

30 (Section scheduled to be repealed on January 1, 2004)

31 Sec. 5. No person shall practice veterinary medicine and
32 surgery in any of its branches without a valid license to do
33 so. Any person not licensed under this Act who performs any

1 of the functions described as the practice of veterinary
 2 medicine or surgery as defined in this Act, who announces to
 3 the public in any way an intention to practice veterinary
 4 medicine and surgery, who uses the title Doctor of Veterinary
 5 Medicine or the initials D.V.M. or V.M.D., or who opens an
 6 office, hospital, or clinic for such purposes is considered
 7 to have violated this Act and may be subject to all the
 8 penalties provided for such violations.

9 It shall be unlawful for any person who is not licensed
 10 in this State to provide veterinary medical services from any
 11 state to a client or patient in this State through
 12 telephonic, electronic, or other means, except where a
 13 bonafide veterinarian-client-patient relationship exists.

14 Nothing in this Act shall be construed to prevent members
 15 of other professions from performing functions for which they
 16 are duly licensed. Other professionals may not, however,
 17 hold themselves out or refer to themselves by any title or
 18 descriptions stating or implying that they are engaged in the
 19 practice of veterinary medicine or that they are licensed to
 20 engage in the practice of veterinary medicine.

21 (Source: P.A. 83-1016.)

22 (225 ILCS 115/8) (from Ch. 111, par. 7008)

23 (Section scheduled to be repealed on January 1, 2004)

24 Sec. 8. Qualifications. A person is qualified to receive
 25 a license if he or she: (1) is of good moral character; (2)
 26 has graduated from an accredited college or school of
 27 veterinary medicine has--received--at--least--2--years---of
 28 preveterinary--collegiate--training;-(3)-has-graduated-from-a
 29 veterinary-school-that-requires-for-graduation-a--4-year,--or
 30 equivalent,---course---in--veterinary--medicine--and--surgery
 31 approved--by--the--Department; and (3)(4) has passed the
 32 examination authorized by the Department to determine fitness
 33 to hold a license.

1 Applicants for licensure from non-accredited veterinary
2 schools are required to successfully complete a program of
3 educational equivalency as established by rule. At a
4 minimum, this program shall include all of the following:

5 (1) A certified transcript indicating graduation
6 from such college.

7 (2) Successful completion of a communication
8 ability examination designed to assess communication
9 skills, including a command of the English language.

10 (3) Successful completion of an examination or
11 assessment mechanism designed to evaluate educational
12 equivalence, including both preclinical and clinical
13 competencies.

14 (4) Any other reasonable assessment mechanism
15 designed to ensure an applicant possesses the educational
16 background necessary to protect the public health and
17 safety.

18 Successful completion of the criteria set forth in this
19 Section shall establish education equivalence as one of the
20 criteria for licensure set forth in this Act. Applicants
21 under this Section must also meet all other statutory
22 criteria for licensure prior to the issuance of any such
23 license, including graduation from veterinary school.

24 ~~With respect to graduates of unapproved veterinary~~
25 ~~programs, the Department shall determine if such programs~~
26 ~~meet standards equivalent to those set forth in clauses (2),~~
27 ~~(3), and (4) of Section 9 of this Act.~~

28 ~~Graduates of non-approved veterinary schools are required~~
29 ~~to pass a proficiency examination specified by the Department~~
30 ~~or to provide one year of evaluated clinical experience as an~~
31 ~~employee of a licensed veterinarian. Prior to hiring such~~
32 ~~person, the licensed veterinarian shall notify the Board, in~~
33 ~~writing, and shall employ such persons only upon the written~~
34 ~~approval of the Board. Such approval shall be for one year~~

1 only--and--is--not--renewable.--Such-clinical-employees-shall
2 treat-animals--only--under--the--direct--supervision--of--the
3 licensed-veterinarian.

4 In determining moral character under this Section, the
5 Department may take into consideration any felony conviction
6 of the applicant, but such a conviction shall not operate as
7 a bar to obtaining a license. The Department may also
8 request the applicant to submit and may consider as evidence
9 of moral character, endorsements from 2 individuals licensed
10 under this Act.

11 (Source: P.A. 89-387, eff. 8-20-95; 90-52, eff. 7-3-97.)

12 (225 ILCS 115/8.1) (from Ch. 111, par. 7008.1)

13 (Section scheduled to be repealed on January 1, 2004)

14 Sec. 8.1. Certified veterinary technician. "Certified
15 veterinary-technician"-means-a-person-who-has-graduated--from
16 a--veterinary--technology--program-accredited-by-the-American
17 Veterinary-Medical-Association-who-has-filed--an--application
18 with-the-Department,7-paid-the-fee,7-and-passed-the-examination
19 as--prescribed--by-rule.--Veterinary-technology-is-defined-as
20 the-performance-of-services-within-the--field--of--veterinary
21 medicine-by-a-person-who-for-compensation-or-personal-profit,7
22 is-employed-by-a-licensed-veterinarian-to-perform-duties-that
23 require--an--understanding-of-veterinary-medicine-as-required
24 in-carrying-out-the-orders--of--the--veterinarian.---However,7
25 these--services--shall--not--include--diagnosing,7-pregnessing,7
26 writing--prescriptions,7--or--surgery. A person who is a
27 certified as-a veterinary technician who performs veterinary
28 technology contrary to this Act is guilty of a Class A
29 misdemeanor and shall be subject to the revocation of his or
30 her certificate. However, these penalties and restrictions
31 shall not apply to a student while performing activities
32 required as a part of his or her training.

33 The Department and the Board are authorized to hold

1 hearings, reprimand, suspend, revoke, or refuse to issue or
2 renew a certificate and to perform any other acts that may be
3 necessary to regulate certified veterinary technicians in a
4 manner consistent with the provisions of the Act applicable
5 to veterinarians.

6 The title "Certified veterinary technician" and the
7 initials "CVT" may only be used by persons certified by the
8 Department. A person who uses these titles without the
9 certification as provided in this Section is guilty of a
10 Class A misdemeanor.

11 Certified veterinary technicians shall be required to
12 complete continuing education as prescribed by rule to renew
13 their certification.

14 (Source: P.A. 88-91; 88-424; 88-670, eff. 12-2-94.)

15 (225 ILCS 115/11) (from Ch. 111, par. 7011)

16 (Section scheduled to be repealed on January 1, 2004)

17 Sec. 11. Temporary permits. A person holding the degree
18 of Doctor of Veterinary Medicine, or its equivalent, from an
19 accredited college of veterinary medicine approved-veterinary
20 program, and who has applied in writing to the Department for
21 a license to practice veterinary medicine and surgery in any
22 of its branches, and who has fulfilled the requirements of
23 Section 8 of this Act, with the exception of receipt of
24 notification of his or her examination results, may receive,
25 at the discretion of the Department, a temporary permit to
26 practice under the direct supervision of a specified
27 veterinarian who is licensed in this State, until: (1) the
28 applicant has been notified of the results of the examination
29 authorized by the Department; or (2) the applicant has
30 withdrawn his or her application.

31 A temporary permit may be issued by the Department to a
32 person who is a veterinarian licensed under the laws of
33 another state, a territory of the United States, or a foreign

1 country, upon application in writing to the Department for a
2 license under this Act if he or she is qualified to receive a
3 license and until: (1) the expiration of 6 months after the
4 filing of the written application, (2) the withdrawal of the
5 application or (3) the denial of the application by the
6 Department.

7 A temporary permit issued under this Section shall not be
8 extended or renewed. The holder of a temporary permit shall
9 perform only those acts that may be prescribed by and
10 incidental to his or her employment and that act shall be
11 performed under the direction of a supervising ~~specified~~
12 licensed veterinarian who is licensed in this State. The
13 holder of the temporary permit He shall not be entitled to
14 otherwise engage in the practice of veterinary medicine until
15 fully licensed in this State.

16 Upon the revocation of a temporary permit, the Department
17 shall immediately notify, by certified mail, the supervising
18 ~~specified~~ veterinarian employing the holder of a temporary
19 permit and the holder of the permit. A temporary permit
20 shall be revoked by the Department upon proof that the holder
21 of the permit has engaged in the practice of veterinary
22 medicine in this State outside his or her employment under a
23 licensed veterinarian.

24 (Source: P.A. 90-655, eff. 7-30-98.)

25 (225 ILCS 115/12) (from Ch. 111, par. 7012)

26 (Section scheduled to be repealed on January 1, 2004)

27 Sec. 12. Inactive status. Any veterinarian or certified
28 veterinary technician who notifies the Department in writing
29 on the prescribed form may place his or her license or
30 certification on an inactive status and shall, subject to
31 rule, be exempt from payment of the renewal fee and
32 compliance with the continuing education requirements until
33 he or she notifies the Department in writing of his or her

1 intention to resume active status.

2 Any veterinarian or certified veterinary technician
3 requesting restoration from inactive status shall be required
4 to complete the continuing education requirements for a
5 single license or certificate renewal period, pursuant to
6 rule, and pay the current renewal fee to restore his or her
7 license or certification as provided in this Act.

8 Any veterinarian whose license is in inactive status
9 shall not practice veterinary medicine and surgery in this
10 State.

11 (Source: P.A. 88-424.)

12 (225 ILCS 115/15) (from Ch. 111, par. 7015)

13 (Section scheduled to be repealed on January 1, 2004)

14 Sec. 15. Expiration and renewal of license. The
15 expiration date and renewal period for each license or
16 certificate shall be set by rule. A veterinarian or
17 certified veterinary technician whose license or certificate
18 has expired may reinstate his or her license or certificate
19 at any time within 5 years after the expiration thereof, by
20 making a renewal application and by paying the required fee
21 and submitting proof of the required continuing education.
22 However, any veterinarian or certified veterinary technician
23 whose license or certificate expired while he or she was (1)
24 on active duty with the Armed Forces of the United States or
25 called into service or training by the State militia or (2)
26 in training or education under the supervision of the United
27 States preliminary to induction into the military service,
28 may have his license or certificate renewed, reinstated, or
29 restored without paying any lapsed renewal fees if within 2
30 years after termination of the service, training, or
31 education the veterinarian furnishes the Department with
32 satisfactory evidence of service, training, or education and
33 it has been terminated under honorable conditions.

1 Any veterinarian or certified veterinary technician whose
 2 license or certificate has expired for more than 5 years may
 3 have it restored by making application to the Department and
 4 filing acceptable proof of fitness to have the license or
 5 certificate restored. The proof may include sworn evidence
 6 certifying active practice in another jurisdiction. The
 7 veterinarian or certified veterinary technician shall also
 8 pay the required restoration fee and submit proof of the
 9 required continuing education. If the veterinarian or
 10 certified veterinary technician has not practiced for 5 years
 11 or more, the Board shall determine by an evaluation program
 12 established by rule, whether the individual is fit to resume
 13 active status and may require the veterinarian to complete a
 14 period of evaluated clinical experience and may require
 15 successful completion of a clinical examination.

16 (Source: P.A. 92-84, eff. 7-1-02.)

17 (225 ILCS 115/24.1)

18 (Section scheduled to be repealed on January 1, 2004)

19 Sec. 24.1. Impaired veterinarians. "Impaired
 20 veterinarian"-means-a-veterinarian-who-is-unable-to--practice
 21 veterinary--medicine-with-reasonable-skill-and-safety-because
 22 of-a-physical-or-mental-disability-as-evidenced-by-a--written
 23 determination--or-written-consent-based-on-clinical-evidence,
 24 including-deterioration-through-the-aging--process,--loss--of
 25 motor--skills,--or--abuse--of--drugs-or-alcohol-of-sufficient
 26 degree-to-diminish-a-person's-ability--to--deliver--competent
 27 patient--care. The Department shall establish by rule a
 28 program of care, counseling, or treatment for the impaired
 29 veterinarians veterinarian.

30 "Program of care, counseling, or treatment" means a
 31 written schedule of organized treatment, care, counseling,
 32 activities, or education satisfactory to the Board, designed
 33 for the purpose of restoring an impaired person to a

1 condition whereby the impaired person can practice veterinary
2 medicine with reasonable skill and safety of a sufficient
3 degree to deliver competent patient care.

4 (Source: P.A. 88-424.)

5 (225 ILCS 115/25) (from Ch. 111, par. 7025)

6 (Section scheduled to be repealed on January 1, 2004)

7 Sec. 25. Disciplinary actions.

8 1. The Department may refuse to issue or renew, or may
9 revoke, suspend, place on probation, reprimand, or take other
10 disciplinary action as the Department may deem appropriate,
11 including fines not to exceed \$1,000 for each violation, with
12 regard to any license or certificate for any one or
13 combination of the following:

14 A. Material misstatement in furnishing information
15 to the Department.

16 B. Violations of this Act, or of the rules
17 promulgated under this Act.

18 C. Conviction of any crime under the laws of the
19 United States or any state or territory of the United
20 States that is a felony or that is a misdemeanor, an
21 essential element of which is dishonesty, or of any
22 crime that is directly related to the practice of the
23 profession.

24 D. Making any misrepresentation for the purpose of
25 obtaining licensure or certification, or violating any
26 provision of this Act or the rules promulgated under this
27 Act pertaining to advertising.

28 E. Professional incompetence.

29 F. Gross malpractice.

30 G. Aiding or assisting another person in violating
31 any provision of this Act or rules.

32 H. Failing, within 60 days, to provide information
33 in response to a written request made by the Department.

1 I. Engaging in dishonorable, unethical, or
2 unprofessional conduct of a character likely to deceive,
3 defraud or harm the public.

4 J. Habitual or excessive use or addiction to
5 alcohol, narcotics, stimulants, or any other chemical
6 agent or drug that results in the inability to practice
7 with reasonable judgment, skill, or safety.

8 K. Discipline by another state, District of
9 Columbia, territory, or foreign nation, if at least one
10 of the grounds for the discipline is the same or
11 substantially equivalent to those set forth herein.

12 L. Directly or indirectly giving to or receiving
13 from any person, firm, corporation, partnership or
14 association any fee, commission, rebate or other form of
15 compensation for professional services not actually or
16 personally rendered.

17 M. A finding by the Board that the licensee or
18 certificate holder, after having his license or
19 certificate placed on probationary status, has violated
20 the terms of probation.

21 N. Willfully making or filing false records or
22 reports in his practice, including but not limited to
23 false records filed with State agencies or departments.

24 O. Physical illness, including but not limited to,
25 deterioration through the aging process, or loss of motor
26 skill which results in the inability to practice the
27 profession with reasonable judgement, skill or safety.

28 P. Solicitation of professional services other than
29 permitted advertising.

30 Q. Having professional connection with or lending
31 one's name, directly or indirectly, to any illegal
32 practitioner of veterinary medicine and surgery and the
33 various branches thereof.

34 R. Conviction of or cash compromise of a charge or

1 violation of the Harrison Act or the Illinois Controlled
2 Substances Act, regulating narcotics.

3 S. Fraud or dishonesty in applying, treating, or
4 reporting on tuberculin or other biological tests.

5 T. Failing to report, as required by law, or making
6 false report of any contagious or infectious diseases.

7 U. Fraudulent use or misuse of any health
8 certificate, shipping certificate, brand inspection
9 certificate, or other blank forms used in practice that
10 might lead to the dissemination of disease or the
11 transportation of diseased animals dead or alive; or
12 dilatory methods, willful neglect, or misrepresentation
13 in the inspection of milk, meat, poultry, and the
14 by-products thereof.

15 V. Conviction on a charge of cruelty to animals.

16 W. Failure to keep one's premises and all equipment
17 therein in a clean and sanitary condition.

18 X. Failure to provide satisfactory proof of having
19 participated in approved continuing education programs.

20 Y. Failure to (i) file a return, (ii) pay the tax,
21 penalty, or interest shown in a filed return, or (iii)
22 pay any final assessment of tax, penalty, or interest, as
23 required by any tax Act administered by the Illinois
24 Department of Revenue, until the requirements of that tax
25 Act are satisfied.

26 Z. Conviction by any court of competent
27 jurisdiction, either within or outside this State, of any
28 violation of any law governing the practice of veterinary
29 medicine, if the Department determines, after
30 investigation, that the person has not been sufficiently
31 rehabilitated to warrant the public trust.

32 AA. Promotion of the sale of drugs, devices,
33 appliances, or goods provided for a patient in any manner
34 to exploit the client for financial gain of the

1 veterinarian.

2 BB. Gross, willful, or continued overcharging for
3 professional services, including filing false statements
4 for collection of fees for which services are not
5 rendered.

6 CC. Practicing under a false or, except as provided
7 by law, an assumed name.

8 DD. Fraud or misrepresentation in applying for, or
9 procuring, a license under this Act or in connection with
10 applying for renewal of a license under this Act.

11 EE. Cheating on or attempting to subvert the
12 licensing examination administered under this Act.

13 FF. Using, prescribing, or selling a prescription
14 drug or the extra-label use of a prescription drug by any
15 means in the absence of a valid
16 veterinarian-client-patient relationship.

17 GG. Failing to report a case of suspected
18 aggravated cruelty, torture, or animal fighting pursuant
19 to Section 3.07 or 4.01 of the Humane Care for Animals
20 Act or Section 26-5 of the Criminal Code of 1961.

21 2. The determination by a circuit court that a licensee
22 or certificate holder is subject to involuntary admission or
23 judicial admission as provided in the Mental Health and
24 Developmental Disabilities Code operates as an automatic
25 suspension. The suspension will end only upon a finding by
26 a court that the patient is no longer subject to involuntary
27 admission or judicial admission and issues an order so
28 finding and discharging the patient; and upon the
29 recommendation of the Board to the Director that the licensee
30 or certificate holder be allowed to resume his practice.

31 3. All proceedings to suspend, revoke, place on
32 probationary status, or take any other disciplinary action as
33 the Department may deem proper, with regard to a license or
34 certificate on any of the foregoing grounds, must be

1 commenced within 3 years after receipt by the Department of a
2 complaint alleging the commission of or notice of the
3 conviction order for any of the acts described in this
4 Section. Except for proceedings brought for violations of
5 items (CC), (DD), or (EE), no action shall be commenced more
6 than 5 years after the date of the incident or act alleged to
7 have violated this Section. In the event of the settlement
8 of any claim or cause of action in favor of the claimant or
9 the reduction to final judgment of any civil action in favor
10 of the plaintiff, the claim, cause of action, or civil action
11 being grounded on the allegation that a person licensed or
12 certified under this Act was negligent in providing care, the
13 Department shall have an additional period of one year from
14 the date of the settlement or final judgment in which to
15 investigate and begin formal disciplinary proceedings under
16 Section 25.2 of this Act, except as otherwise provided by
17 law. The time during which the holder of the license or
18 certificate was outside the State of Illinois shall not be
19 included within any period of time limiting the commencement
20 of disciplinary action by the Department.

21 (Source: P.A. 88-424.)

22 (225 ILCS 115/25.19 new)

23 (Section scheduled to be repealed on January 1, 2004)

24 Sec. 25.19. Mandatory reporting. Nothing in this Act
25 exempts a licensee from the mandatory reporting requirements
26 regarding suspected acts of aggravated cruelty, torture, and
27 animal fighting imposed under Sections 3.07 and 4.01 of the
28 Humane Care for Animals Act and Section 26-5 of the Criminal
29 Code of 1961.

30 (225 ILCS 115/9 rep.)

31 Section 18. The Veterinary Medicine and Surgery Practice
32 Act of 1994 is amended by repealing Section 9.

1 Section 20. The Animal Welfare Act is amended by
2 changing Section 2 as follows:

3 (225 ILCS 605/2) (from Ch. 8, par. 302)

4 Sec. 2. Definitions. As used in this Act unless the
5 context otherwise requires:

6 "Department" means the Illinois Department of
7 Agriculture.

8 "Director" means the Director of the Illinois Department
9 of Agriculture.

10 "Pet shop operator" means any person who sells, offers to
11 sell, exchange, or offers for adoption with or without charge
12 or donation dogs, cats, birds, fish, reptiles, or other
13 animals customarily obtained as pets in this State. However,
14 a person who sells only such animals that he has produced and
15 raised shall not be considered a pet shop operator under this
16 Act, and a veterinary hospital or clinic operated by a
17 veterinarian or veterinarians licensed under the Veterinary
18 Medicine and Surgery Practice Act of 2004 ~~1994~~ shall not be
19 considered a pet shop operator under this Act.

20 "Dog dealer" means any person who sells, offers to sell,
21 exchange, or offers for adoption with or without charge or
22 donation dogs in this State. However, a person who sells only
23 dogs that he has produced and raised shall not be considered
24 a dog dealer under this Act, and a veterinary hospital or
25 clinic operated by a veterinarian or veterinarians licensed
26 under the Veterinary Medicine and Surgery Practice Act of
27 2004 ~~1994~~ shall not be considered a dog dealer under this
28 Act.

29 "Secretary of Agriculture" or "Secretary" means the
30 Secretary of Agriculture of the United States Department of
31 Agriculture.

32 "Person" means any person, firm, corporation,
33 partnership, association or other legal entity, any public or

1 private institution, the State of Illinois, or any municipal
2 corporation or political subdivision of the State.

3 "Kennel operator" means any person who operates an
4 establishment, other than an animal control facility,
5 veterinary hospital, or animal shelter, where dogs or dogs
6 and cats are maintained for boarding, training or similar
7 purposes for a fee or compensation; or who sells, offers to
8 sell, exchange, or offers for adoption with or without charge
9 dogs or dogs and cats which he has produced and raised. A
10 person who owns, has possession of, or harbors 5 or less
11 females capable of reproduction shall not be considered a
12 kennel operator.

13 "Cattery operator" means any person who operates an
14 establishment, other than an animal control facility or
15 animal shelter, where cats are maintained for boarding,
16 training or similar purposes for a fee or compensation; or
17 who sells, offers to sell, exchange, or offers for adoption
18 with or without charges cats which he has produced and
19 raised. A person who owns, has possession of, or harbors 5
20 or less females capable of reproduction shall not be
21 considered a cattery operator.

22 "Animal control facility" means any facility operated by
23 or under contract for the State, county, or any municipal
24 corporation or political subdivision of the State for the
25 purpose of impounding or harboring seized, stray, homeless,
26 abandoned or unwanted dogs, cats, and other animals. "Animal
27 control facility" also means any veterinary hospital or
28 clinic operated by a veterinarian or veterinarians licensed
29 under the Veterinary Medicine and Surgery Practice Act of
30 2004 ~~1994~~ which operates for the above mentioned purpose in
31 addition to its customary purposes.

32 "Animal shelter" means a facility operated, owned, or
33 maintained by a duly incorporated humane society, animal
34 welfare society, or other non-profit organization for the

1 purpose of providing for and promoting the welfare,
2 protection, and humane treatment of animals. "Animal
3 shelter" also means any veterinary hospital or clinic
4 operated by a veterinarian or veterinarians licensed under
5 the Veterinary Medicine and Surgery Practice Act of 2004 ~~1994~~
6 which operates for the above mentioned purpose in addition to
7 its customary purposes.

8 "Foster home" means an entity that accepts the
9 responsibility for stewardship of animals that are the
10 obligation of an animal shelter, not to exceed 4 animals at
11 any given time. Permits to operate as a "foster home" shall
12 be issued through the animal shelter.

13 "Guard dog service" means an entity that, for a fee,
14 furnishes or leases guard or sentry dogs for the protection
15 of life or property. A person is not a guard dog service
16 solely because he or she owns a dog and uses it to guard his
17 or her home, business, or farmland.

18 "Guard dog" means a type of dog used primarily for the
19 purpose of defending, patrolling, or protecting property or
20 life at a commercial establishment other than a farm. "Guard
21 dog" does not include stock dogs used primarily for handling
22 and controlling livestock or farm animals, nor does it
23 include personally owned pets that also provide security.

24 "Sentry dog" means a dog trained to work without
25 supervision in a fenced facility other than a farm, and to
26 deter or detain unauthorized persons found within the
27 facility.

28 (Source: P.A. 89-178, eff. 7-19-95; 90-385, eff. 8-15-97;
29 90-403, eff. 8-15-97.)

30 Section 25. The Elder Abuse and Neglect Act is amended
31 by changing Section 2 as follows:

32 (320 ILCS 20/2) (from Ch. 23, par. 6602)

1 Sec. 2. Definitions. As used in this Act, unless the
2 context requires otherwise:

3 (a) "Abuse" means causing any physical, mental or sexual
4 injury to an eligible adult, including exploitation of such
5 adult's financial resources.

6 Nothing in this Act shall be construed to mean that an
7 eligible adult is a victim of abuse or neglect for the sole
8 reason that he or she is being furnished with or relies upon
9 treatment by spiritual means through prayer alone, in
10 accordance with the tenets and practices of a recognized
11 church or religious denomination.

12 Nothing in this Act shall be construed to mean that an
13 eligible adult is a victim of abuse because of health care
14 services provided or not provided by licensed health care
15 professionals.

16 (a-5) "Abuser" means a person who abuses, neglects, or
17 financially exploits an eligible adult.

18 (a-7) "Caregiver" means a person who either as a result
19 of a family relationship, voluntarily, or in exchange for
20 compensation has assumed responsibility for all or a portion
21 of the care of an eligible adult who needs assistance with
22 activities of daily living.

23 (b) "Department" means the Department on Aging of the
24 State of Illinois.

25 (c) "Director" means the Director of the Department.

26 (d) "Domestic living situation" means a residence where
27 the eligible adult lives alone or with his or her family or a
28 caregiver, or others, or a board and care home or other
29 community-based unlicensed facility, but is not:

30 (1) A licensed facility as defined in Section 1-113
31 of the Nursing Home Care Act;

32 (2) A "life care facility" as defined in the Life
33 Care Facilities Act;

34 (3) A home, institution, or other place operated by

1 the federal government or agency thereof or by the State
2 of Illinois;

3 (4) A hospital, sanitarium, or other institution,
4 the principal activity or business of which is the
5 diagnosis, care, and treatment of human illness through
6 the maintenance and operation of organized facilities
7 therefor, which is required to be licensed under the
8 Hospital Licensing Act;

9 (5) A "community living facility" as defined in the
10 Community Living Facilities Licensing Act;

11 (6) A "community residential alternative" as
12 defined in the Community Residential Alternatives
13 Licensing Act; and

14 (7) A "community-integrated living arrangement" as
15 defined in the Community-Integrated Living Arrangements
16 Licensure and Certification Act.

17 (e) "Eligible adult" means a person 60 years of age or
18 older who resides in a domestic living situation and is, or
19 is alleged to be, abused, neglected, or financially exploited
20 by another individual.

21 (f) "Emergency" means a situation in which an eligible
22 adult is living in conditions presenting a risk of death or
23 physical, mental or sexual injury and the provider agency has
24 reason to believe the eligible adult is unable to consent to
25 services which would alleviate that risk.

26 (f-5) "Mandated reporter" means any of the following
27 persons while engaged in carrying out their professional
28 duties:

29 (1) a professional or professional's delegate while
30 engaged in: (i) social services, (ii) law enforcement,
31 (iii) education, (iv) the care of an eligible adult or
32 eligible adults, or (v) any of the occupations required
33 to be licensed under the Clinical Psychologist Licensing
34 Act, the Clinical Social Work and Social Work Practice

1 Act, the Illinois Dental Practice Act, the Dietetic and
 2 Nutrition Services Practice Act, the Marriage and Family
 3 Therapy Licensing Act, the Medical Practice Act of 1987,
 4 the Naprapathic Practice Act, the Nursing and Advanced
 5 Practice Nursing Act, the Nursing Home Administrators
 6 Licensing and Disciplinary Act, the Illinois Occupational
 7 Therapy Practice Act, the Illinois Optometric Practice
 8 Act of 1987, the Pharmacy Practice Act of 1987, the
 9 Illinois Physical Therapy Act, the Physician Assistant
 10 Practice Act of 1987, the Podiatric Medical Practice Act
 11 of 1987, the Respiratory Care Practice Act, the
 12 Professional Counselor and Clinical Professional
 13 Counselor Licensing Act, the Illinois Speech-Language
 14 Pathology and Audiology Practice Act, the Veterinary
 15 Medicine and Surgery Practice Act of 2004 ~~1994~~, and the
 16 Illinois Public Accounting Act;

17 (2) an employee of a vocational rehabilitation
 18 facility prescribed or supervised by the Department of
 19 Human Services;

20 (3) an administrator, employee, or person providing
 21 services in or through an unlicensed community based
 22 facility;

23 (4) a Christian Science Practitioner;

24 (5) field personnel of the Department of Public
 25 Aid, Department of Public Health, and Department of Human
 26 Services, and any county or municipal health department;

27 (6) personnel of the Department of Human Services,
 28 the Guardianship and Advocacy Commission, the State Fire
 29 Marshal, local fire departments, the Department on Aging
 30 and its subsidiary Area Agencies on Aging and provider
 31 agencies, and the Office of State Long Term Care
 32 Ombudsman;

33 (7) any employee of the State of Illinois not
 34 otherwise specified herein who is involved in providing

1 services to eligible adults, including professionals
2 providing medical or rehabilitation services and all
3 other persons having direct contact with eligible adults;
4 or

5 (8) a person who performs the duties of a coroner
6 or medical examiner.

7 (g) "Neglect" means another individual's failure to
8 provide an eligible adult with or willful withholding from an
9 eligible adult the necessities of life including, but not
10 limited to, food, clothing, shelter or medical care. This
11 subsection does not create any new affirmative duty to
12 provide support to eligible adults. Nothing in this Act
13 shall be construed to mean that an eligible adult is a victim
14 of neglect because of health care services provided or not
15 provided by licensed health care professionals.

16 (h) "Provider agency" means any public or nonprofit
17 agency in a planning and service area appointed by the
18 regional administrative agency with prior approval by the
19 Department on Aging to receive and assess reports of alleged
20 or suspected abuse, neglect, or financial exploitation.

21 (i) "Regional administrative agency" means any public or
22 nonprofit agency in a planning and service area so designated
23 by the Department, provided that the designated Area Agency
24 on Aging shall be designated the regional administrative
25 agency if it so requests. The Department shall assume the
26 functions of the regional administrative agency for any
27 planning and service area where another agency is not so
28 designated.

29 (j) "Substantiated case" means a reported case of
30 alleged or suspected abuse, neglect, or financial
31 exploitation in which a provider agency, after assessment,
32 determines that there is reason to believe abuse, neglect, or
33 financial exploitation has occurred.

34 (Source: P.A. 91-259, eff. 1-1-00; 91-357, eff. 7-29-99;

1 91-533, eff. 8-13-99; 92-16, eff. 6-28-01.)

2 Section 30. The Illinois Food, Drug and Cosmetic Act is
3 amended by changing Section 3.21 as follows:

4 (410 ILCS 620/3.21) (from Ch. 56 1/2, par. 503.21)

5 Sec. 3.21. Except as authorized by this Act, the
6 Controlled Substances Act, the Pharmacy Practice Act of 1987,
7 the Dental Practice Act, the Medical Practice Act of 1987,
8 the Veterinary Medicine and Surgery Practice Act of 2004
9 ~~1994~~, or the Podiatric Medical Practice Act of 1987, to sell
10 or dispense a prescription drug without a prescription.

11 (Source: P.A. 88-424.)

12 Section 35. The Humane Care for Animals Act is amended
13 by changing Section 2.01h as follows:

14 (510 ILCS 70/2.01h)

15 Sec. 2.01h. Animal shelter. "Animal shelter" means a
16 facility operated, owned, or maintained by a duly
17 incorporated humane society, animal welfare society, or other
18 non-profit organization for the purpose of providing for and
19 promoting the welfare, protection, and humane treatment of
20 animals. "Animal shelter" also means any veterinary hospital
21 or clinic operated by a veterinarian or veterinarians
22 licensed under the Veterinary Medicine and Surgery Practice
23 Act of 2004 ~~1994~~ which operates for the above mentioned
24 purpose in addition to its customary purposes.

25 (Source: P.A. 92-454, eff. 1-1-02.)

26 Section 40. The Humane Euthanasia in Animal Shelters Act
27 is amended by changing Section 5 as follows:

28 (510 ILCS 72/5)

1 Sec. 5. Definitions.

2 The following terms have the meanings indicated, unless the
3 context requires otherwise:

4 "Animal" means any bird, fish, reptile, or mammal other
5 than man.

6 "DEA" means the United States Department of Justice Drug
7 Enforcement Administration.

8 "Department" means the Department of Professional
9 Regulation.

10 "Director" means the Director of the Department of
11 Professional Regulation.

12 "Euthanasia agency" means an entity certified by the
13 Department for the purpose of animal euthanasia that holds an
14 animal control facility or animal shelter license under the
15 Animal Welfare Act.

16 "Euthanasia drugs" means Schedule II or Schedule III
17 substances (nonnarcotic controlled substances) as set forth
18 in the Illinois Controlled Substances Act that are used by a
19 euthanasia agency for the purpose of animal euthanasia.

20 "Euthanasia technician" or "technician" means a person
21 employed by a euthanasia agency or working under the direct
22 supervision of a veterinarian and who is certified by the
23 Department to administer euthanasia drugs to euthanize
24 animals.

25 "Veterinarian" means a person holding the degree of
26 Doctor of Veterinary Medicine who is licensed under the
27 Veterinary Medicine and Surgery Practice Act of 2004 ~~1994~~.

28 (Source: P.A. 92-449, eff. 1-1-02.)

29 Section 45. The Good Samaritan Act is amended by
30 changing Section 60 as follows:

31 (745 ILCS 49/60)

32 Sec. 60. Veterinarians; exemption from civil liability

1 for emergency care to humans. Any person licensed under the
2 Veterinary Medicine and Surgery Practice Act of 2004 ~~1994~~ or
3 any person licensed as a veterinarian in any other state or
4 territory of the United States who in good faith provides
5 emergency care to a human victim of an accident, at the scene
6 of an accident or in a catastrophe shall not be liable for
7 civil damages as a result of his or her acts or omissions,
8 except for willful or wanton misconduct on the part of the
9 person in providing the care.

10 (Source: P.A. 89-607, eff. 1-1-97; 90-742, eff. 8-13-98.)

11 Section 99. Effective date. This Act takes effect on
12 December 31, 2003.